THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.12978 of 2007

Date: 26.07.2007

Between:

M.Vasudeva Rao

....Petitioner

and

The Inspector General of Stamps and Registration and others.

....Respondents

O R D E R:

Petitioners are the owners of land in various survey numbers of Rajavolu Village, Rajahmundry Rural Mandal, East Godavari District. The market value for the lands in that village was fixed in the range of Rs.1,82,000/- to Rs.2,00,000/- per acre and entered the same in the basic value register maintained by the Office of the Sub-Registrar, Kadiyam, the third respondent herein. The grievance of the petitioner is that in the immediate neighbouring village of Dhawaleswaram, the value for the lands is fixed in the range of Rs.5,00,000/- to Rs.10,00,000/-. They have obtained certified copies of the extracts from the office of the third respondent in support of that contention. It is alleged that the fixation of the market value for the lands in that village at a very low figure is detrimental to their interest. The petitioners claim to have made a representation, dated 02.01.2007, to the Joint Collector, the fourth respondent herein, for upward amending of the value of the lands in their village. Their grievance is that no action has been taken thereon.

The market values for the immovable properties, in particular, the lands, are entered in the basic value register to be maintained by the registering authorities. This constitutes the

basis for fixation of
the stamp duty and registration charges. Apart from being a relevant factor for assessing the value of the concerned properties, the State Government had framed the Rules under Section 47-A of the Indian Stamp Act, 1899, in this regard and titled as "the A.P. Revision of Market Value Guidelines Rules, 1998 (for short 'the Rules). Apart from providing the guidelines for fixation of the market value, the Rules prescribed the procedure for rectification of the anomalies. From the material placed before this Court, it is evident that while the market value of the land in the village of Rajavolu is shown at Rs.1,82,000/-, another piece of land in the immediate neighbourhood and within the revenue village of Dhawaleswaram is shown at Rs.10,00,000/-. Such an anomaly would have its own impact on the rights of the respective owners. The petitioners have already availed the remedy under Rule 13 of the Rules. The competent authority has to take necessary steps in this regard.

For the foregoing reasons, the writ petition is disposed of, directing the fourth respondent to take necessary steps, as provided for under the Rules and pass appropriate orders, within a period of six (6) weeks from the date of receipt of a copy of this order.

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26.07.2007

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